

that the Food and Drug Administration had found that the butter in those boxes was not adulterated as alleged in the libel. The matter came on for hearing, and it appearing to the court that the butter under seizure consisted of 7 churnings; that 3 of the churnings numbered 27, 28, and 29, consisting of 47 boxes, were adulterated as alleged in the libel; and that 4 of the churnings numbered 1, 2, 30, and 31, consisting of 54 boxes, were not adulterated, the court, on December 2, 1953, entered a decree of condemnation against all of the butter under seizure and ordered that the butter be released under bond for segregation of the adulterated churnings from the unadulterated churnings under the supervision of the Department of Health, Education, and Welfare.

As a result of the segregation operations, the 54 boxes of unadulterated butter were released to the claimant and the 47 boxes of adulterated butter were destroyed.

20963. Adulteration of butter. U. S. v. 66 Cases * * *. (F. D. C. No. 35846.

Sample No. 45520-L.)

LIBEL FILED: August 5, 1953, District of Massachusetts
ALLEGED SHIPMENT: On or about June 27, 1953, by the Beatrice Foods Co., from Galesburg, Ill.

PRODUCT: 66 cases, each containing 32 1-pound prints, of butter at Boston, Mass.

LABEL, IN PART: (Print) "Valley Farm Brand Butter * * * Distributed By Beatrice Foods Co. General Office—Chicago, Illinois."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. (Examination showed that the article was prepared from decomposed cream.)

DISPOSITION: September 24, 1953. The Beatrice Foods Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for conversion into edible butter oil, under the supervision of the Department of Health, Education, and Welfare.

20964. Adulteration of butter. U. S. v. 18 Boxes (1,080 pounds) * * *. (F. D. C. No. 35556. Sample No. 66194-L.)

LIBEL FILED: August 26, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 12, 1953, by Ravenwood Cooperative Creamery, Inc., from Ravenwood, Mo.

PRODUCT: 18 60-pound boxes of butter at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance and was made from filthy cream.

DISPOSITION: October 14, 1953. Default decree of condemnation and destruction.

CHEESE

20965. Adulteration of cheese. U. S. v. Bangor Milk Products Co., Inc., and Herbert E. Wilson. Pleas of guilty. Fine of \$250 against corporation and \$1 against individual. (F. D. C. No. 35737. Sample No. 56093-L.)

INFORMATION FILED: December 29, 1953, Northern District of New York, against Bangor Milk Products Co., Inc., Bangor, N. Y., and Herbert E. Wilson, secretary-treasurer of the corporation.

ALLEGED VIOLATION: On or about May 27, 1953, the defendants caused to be given to a firm engaged in the business of shipping cheese in interstate commerce, at Huevelton, N. Y., a guaranty to the effect that no article delivered to the holder of the guaranty would be adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act.

On or about June 11, 1953, the defendants caused to be delivered to the holder of the guaranty, at Huevelton, N. Y., a quantity of cheese which was adulterated.

LABEL, IN PART: "New York State Brand Whole Milk Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of manure fragments and insect and rodent hair fragments, and by reason of the use of filth-contaminated milk in the preparation of the article; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 26, 1954. The defendants having entered pleas of guilty, the court fined the corporation \$250 and the individual \$11.

EGGS

20966. Adulteration of frozen eggs. U. S. v. 825 Cans * (F. D. C. No.**

35511. Sample No. 69685-L.)

LIBEL FILED: September 25, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about June 9, 1953, by the Wayne Poultry & Egg Co., from Wayne, Nebr. * * *

PRODUCT: 825 30-pound cans of frozen eggs at Denver, Colo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: November 17, 1953. The Wayne Poultry & Egg Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the good portion from the bad, under the supervision of the Department of Health, Education, and Welfare.

As a result of the segregation operations, 110 cans of eggs were found unfit and were destroyed.

20967. Adulteration of frozen eggs. U. S. v. 500 Cans * (F. D. C. No.**

35510. Sample No. 69684-L.)

LIBEL FILED: September 25, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about August 31, 1953, by C. A. Swanson & Sons, from Omaha, Nebr.

PRODUCT: 500 30-pound cans of frozen eggs at Denver, Colo.

LABEL, IN PART: "Fine Quality Eggs Swanson Ever Fresh Brand Whole Eggs Quick Frozen."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: November 17, 1953. C. A. Swanson & Sons, claimant, having consented to the entry of a decree, judgment of condemnation was entered